

**TESTIMONY IN OPPOSITION OF RAISED BILL No. 730 - AN ACT
PROHIBITING HOMEOWNER OR CONDOMINIUM ASSOCIATIONS FROM
INTERFERING WITH OR PREVENTING INSTALLATIONS OF SOLAR
PHOTOVOLTAIC SYSTEMS**

February 19, 2015

Good afternoon Senator Doyle, Representative Reed, Senator Larson, Representative Demicco, Senator Formica, Representative Ackert and members of the Energy and Technology Committee. Thank you for the opportunity to provide testimony on behalf of Imagineers, LLC ("Imagineers").

I am Karl Kuegler, Jr. of Imagineers, LLC where I serve as the Director of Property Management for our common interest community management division. From our offices located in Hartford and Seymour, we serve about 200 Connecticut common interest communities comprising about 18,000 homes. Imagineers is registered with the Department of Consumer Protection as a Community Association Manager holding registration number 0001 and has been serving Connecticut common interest communities for 34 years. I have over 25 years of experience in common interest community management and hold a Certified Manager of Community Associations and a Association Management Specialist designations from the National Board of Certification for Community Association Managers. Imagineers is a member of the Connecticut Chapter of Community Associations Institute. I serve on the organization's Legislative Action Committee as its vice chair and chair the organization's annual state educational conference.

Imagineers believes that this bill would create many unintended problems for common interest communities. Owners make the choice to purchase a home in a common interest community. Each owner agrees to be subject to the governing documents. The governing documents provide protection to the members of the association by helping to maintain the value of each of their homes and the aesthetic of the community. Each association has the autonomy to decide for itself what exterior modifications to allow. Buyers have the piece of mind knowing that their best interests are being protected both by the elected board of directors of their association and the terms of their governing documents. Each association has the ability to amend its governing documents by vote to keep up with the times and to address the ever changing needs of their specific association.

There are many practical reasons why this law would be disastrous to communities. The vast majority of common interest communities in our state place the ownership and maintenance responsibilities of the exterior of the homes with the association. Not every community is constructed in such a way to permit the installation of the equipment. Buildings may be multi floor apartment style units, a townhouse on top of a garden style unit or stacked garden style units. The most likely location for the equipment is the roof which may be shared by multiple homes. When the association is responsible for the maintenance, the timing of the maintenance and replacement of the roof is not determined or known by the individual unit owner. Placement of the equipment on a roof by an

individual owner could invalidate the warranty of the roofing system owned by the association. In short, the law would allow a person to install equipment on a roof they do not own while increasing costs to all owners.

Allowing placement of solar photovoltaic on the grounds of the association raises other issues. In most instances, the grounds belong to the association. The grounds may also be directly adjacent to multiple homes. The placement can also impede the regular maintenance of the property adding to the maintenance costs paid for by all owners.

Homeowners purchase in common interest communities knowing that they give up rights to make changes to the exterior without the approval of the association. They trust that the same rules apply to their neighbors. They see value in knowing that there is a much less chance that a neighbor will be allowed to make changes that could negatively impact their home value as well as increase the cost of maintaining the commonly owned property. Owners have the comfort of knowing that the members of their community and their elected Board can offer and approve changes to their governing documents that would allow such devices as solar photovoltaic systems while taking into consideration their community's specific construction and best interests. Owners furthermore know that if their board doesn't represent the best interests of the community, by a simple petition of 20% of their association owners, they can call for a meeting to remove the members of their board.

For the reasons stated above, we are in opposition of Raised Bill No. 730 - An Act Prohibiting Homeowner or Condominium Associations from Interfering with or Preventing Installations of Solar Photovoltaic Systems.